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No. 0161 P. 1

**PATENT**  
**AZL2003-1**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Henderson, Alex et al.

Examiner: Shiu, Ho T.

Serial No.: 10/689,540

Group Art Unit: 4152

Title: **Transporting Fibre Channel  
Over Ethernet**

Filed: 21 October 2003

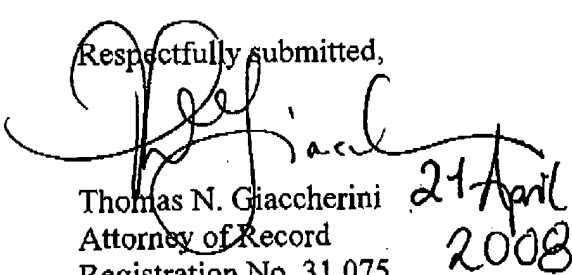
**Facsimile to Examiner Ho T. Shiu**  
**Monday 21 April 2008**

Commissioner of Patents  
c/o Examiner Ho T. Shiu  
Group Art Unit 4152  
Fax No.: 571.270.3810  
Tel No.: 571.273.8300  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

This Facsimile Cover Sheet is accompanied by a Proposed First Amendment. The Attorney of Record would appreciate receiving a telephone call from the Examiner to discuss an amendment for Claim 1.

Respectfully submitted,

  
Thomas N. Giaccherini  
Attorney of Record  
Registration No. 31,075  
Carmel Valley, California  
831.659.5300

21 April  
2008.

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. SECTION 1.8**

The undersigned hereby certifies that this document is being deposited with the United States Postal Service in accordance with the provisions of 37 CFR Section 1.8 on the date indicated below and is addressed to Commissioner of Patents, M.S. Amendment, P.O. Box 1450, Alexandria, Virginia 22313-1450.



**DRAFT**

Date \_\_\_\_\_

Thomas N. Giaccherini, Registration No. 31,075

**PROPOSED FIRST AMENDMENT**

Commissioner of Patents  
M.S. Amendment  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

The Applicants submit this Proposed First Amendment in response to a First Office Action dated 7 February 2008. This First Office Action provided a period for response of three months, which will expire on 7 May 2008.

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USSN 10/689,540  
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**PROPOSED FIRST AMENDMENT  
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### **PROSECUTION HISTORY**

A First Office Action was mailed from the Patent Office on 7 February 2008. In the First Office Action, the Patent Office rejected Pending Claim 1 under 35 U.S.C. Section 102(e) as being anticipated by U.S. Patent No. 7, 307,995– Iyer. This rejection is a non-final rejection.